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4 Attorneys for USACM Liquidating Trust

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 6 **UNITED STATES BANKRUPTCY COURT**
 7 **DISTRICT OF NEVADA**

8 In re:

9 USA COMMERCIAL MORTGAGE
 10 COMPANY,

11 Debtor.

12 Case No. BK-S-06-10725-LBR

13 CHAPTER 11

14 **NOTICE OF HEARING RE
 15 PARTIAL OBJECTION OF USACM
 16 LIQUIDATING TRUST TO PROOF
 17 OF CLAIM NO. 10725-02481 IN THE
 18 AMOUNT OF \$1,468,967.93; AND
 19 CERTIFICATE OF SERVICE**

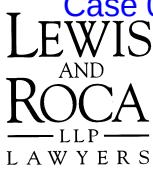
20 Date of Hearing: October 18, 2011

21 Time of Hearing: 1:30 p.m.

22 **THE USACM LIQUIDATING TRUST IS OBJECTING TO A CLAIM THAT
 23 YOU FILED. THE USACM TRUST SEEKS TO DISALLOW CLAIM
 24 NO. 10725-02481.**

25 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY
 26 COURT TO DISCUSS THE MERITS OF YOUR CLAIM. ADDRESS QUESTIONS
 27 REGARDING THE CLAIM TO UNDERSIGNED COUNSEL, JOHN
 28 HINDERAKER (520-629-4430).**

29 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and
 30 through its counsel, has filed its Objection to Proof of Claim No. 10725-02481 by Tobias
 31 Von Euw Revocable Trust DTD 11/23/04 (with Certificate of Service) (the “Objection”).
 32 The first page of your Proof of Claim as required by Nevada LR 3007, is attached to the
 33 Objection as **Exhibit A**. The USACM Liquidating Trust has requested that this Court



1 enter an order, pursuant to section 502 of title 11 of the United States Code (the
 2 "Bankruptcy Code") and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the
 3 "Bankruptcy Rules"), disallowing your Proof of Claim in part.

4 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
 5 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal
 6 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
 7 **October 18, 2011, at the hour of 1:30 p.m.**

8 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON**
 9 **OCTOBER 18, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS**
 10 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**
 11 **ARGUMENTS WILL BE HEARD ON THAT DATE.**

12 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any
 13 response to the objection must be filed and service must be completed no later than
 14 **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant
 15 facts and any relevant legal authority.

16 If you object to the relief requested, you *must* file a **WRITTEN** response to this
 17 pleading with the Court. You *must* also serve your written response on the person who
 18 sent you this notice.

19 If you do not file a written response with the Court, or if you do not serve your
 20 written response on the person who sent you this notice, then:

- 21 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
 22 • The Court may *rule against you* and sustain the objection without formally
 23 calling the matter at the hearing.

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 26



1 DATED this 16th day of September, 2011.

2 LEWIS AND ROCA LLP

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By /s/ John Hinderaker (#18024)

5 Robert M. Charles Jr. NV 6593

John C. Hinderaker, AZ 18024 (*pro hac vice*)

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Attorneys for the USACM Liquidating Trust

10 Copy of the foregoing mailed by first class

11 Postage prepaid U.S. mailed on

September 16, 2011 to:

12

Tobias Von Euw Revocable Trust DTD 11/23/04

13 10132 Middle Ridge Drive

14 Las Vegas, NV 89134-7598

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LEWIS AND ROCA LLP

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/s/ Renee L. Creswell

Renee L. Creswell

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